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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**BARBARA A. WILHELM,**  
**Plaintiff**

**v.**

**COMMONWEALTH OF PA.;**  
**PENNSYLVANIA STATE POLICE;**  
**COLONEL PAUL J. EVANKO,**  
**COMMISSIONER; LIEUTENANT**  
**COLONEL THOMAS K. COURY; and**  
**CAPTAIN MICHAEL D. SIMMERS,**  
**Defendants**

**NO. 1:CV-01-1057**

**(JUDGE RAMBO)**

**FILED**  
**HARRISBURG, PA**

**NOV 05 2002**

**AMENDED CERTIFICATE OF NONCONCURRENCE** — **MARY E. D'ANDREA, CLERK**  
**2/8/02**

This is to advise the Court that on November 5, 2002, the undersigned spoke with plaintiff's counsel, Nathan C. Pringle, Jr., who advised that he does not concur in 1) Defendant's Motion for Reconsideration of the Order of October 23, 2002, or in the Alternative, for a Declaration of Mistrial (filed October 29, 2002); and 2) Defendants' Motion for Attorneys' Fees (filed November 4, 2002).

**Respectfully submitted,**

**D. MICHAEL FISHER**  
**Attorney General**

**BY:**

**Office of Attorney General**  
**Litigation Section**  
**15<sup>th</sup> Fl., Strawberry Square**  
**Harrisburg, PA 17120**  
**(717) 787-9831 - Direct**  
**(717) 772-4526 - Fax**


  
**SUSAN J. FORNEY**  
**Chief Deputy Attorney General**  
**I.D. No. 27744**

**DATED: November 5, 2002**

**CERTIFICATE OF SERVICE**

I, **SUSAN J. FORNEY**, Chief Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on November 5, 2002, I caused to be served a copy of the foregoing document entitled **Amended Certificate of Nonconcurrence**, by depositing same in the United States Mail, first class, postage prepaid, in Harrisburg, Pennsylvania upon the following:

**Nathan C. Pringle, Jr., Esquire  
3601 N. Progress Avenue, Suite 200  
Harrisburg, PA 17110**

  
**SUSAN J. FORNEY**  
**Chief Deputy Attorney General**  
**I.D. No. 27744**